

ASSEMBLY JOINT RESOLUTION NO. 20—COMMITTEE ON  
NATURAL RESOURCES, AGRICULTURE AND MINING

MARCH 17, 1999

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Referred to Committee on Natural Resources,  
Agriculture and Mining

SUMMARY—Urges United States Environmental Protection Agency to reconsider certain recent regulatory actions regarding Toxics Release Inventory. (BDR R-1647)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

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ASSEMBLY JOINT RESOLUTION—Urging the United States Environmental Protection Agency to reconsider its recent regulatory expansion of the Toxics Release Inventory.

- 1 WHEREAS, The Emergency Planning and Community Right-To-Know
- 2 Act of 1986 is intended to inform communities and residents of potential
- 3 chemical hazards in their areas by requiring businesses to report the
- 4 locations and quantities of chemicals stored on-site to state and local
- 5 governments; and
- 6 WHEREAS, Section 313 of the Emergency Planning and Community
- 7 Right-To-Know Act specifically requires manufacturers to report releases
- 8 into the environment of more than 600 designated toxic chemicals as part
- 9 of the Toxics Release Inventory which is made available on the Internet to
- 10 the public by the United States Environmental Protection Agency; and
- 11 WHEREAS, The United States Environmental Protection Agency has
- 12 expanded the Toxics Release Inventory report to include the mining
- 13 industry and other industrial sectors; and
- 14 WHEREAS, Many of the toxic elements that must be reported in the
- 15 Toxics Release Inventory are naturally occurring in the earth's crust and are
- 16 reportable by the mining industry by mere virtue of handling and moving
- 17 these elements in standard mining and ore processing activities; and
- 18 WHEREAS, The current reporting requirements of the Toxics Release
- 19 Inventory were developed for the manufacturing industry where these

1 chemicals are brought to the site and released into the environment in  
2 largely urban areas and are not appropriate to the mining industry where the  
3 volumes of these elements may be inherently high but risk to public safety  
4 is very low; and

5 WHEREAS, Reporting all of the toxic chemicals required by the  
6 inventory will unnecessarily alarm the public by making it appear that the  
7 processing of minerals results in the actual release of large quantities of  
8 toxic chemicals into the environment; and

9 WHEREAS, The members of the Nevada Legislature acknowledge the  
10 value of the Emergency Planning and Community Right-To-Know Act and  
11 its success in encouraging large manufacturers to implement cleaner  
12 processing programs with fewer toxic chemicals; now, therefore, be it

13 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA,  
14 JOINTLY, That the members of the 70th session of the Nevada Legislature  
15 hereby urge the United States Environmental Protection Agency to remove  
16 the mining industry from the reporting requirements of the Toxics Release  
17 Inventory that were originally intended for use by large manufacturers; and  
18 be it further

19 RESOLVED, That the United States Environmental Protection Agency is  
20 encouraged to look instead to a separate form of reporting requirements  
21 that have a direct application to mining activities and exclude naturally  
22 occurring elements from the reporting requirements of the mining industry;  
23 and be it further

24 RESOLVED, That the Nevada Legislature urges the United States  
25 Environmental Protection Agency to acknowledge in accurate perspective  
26 the fact that while mining activities do involve the handling of a large  
27 volume of material, a portion of which does contain potentially toxic  
28 elements, the actual risk of public exposure is low; and be it further

29 RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a  
30 copy of this resolution to the Administrator of the United States  
31 Environmental Protection Agency and to each member of the Nevada  
32 Congressional Delegation; and be it further

33 RESOLVED, That this resolution becomes effective upon passage and  
34 approval.